

MANDATE

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: OCT 21 2009

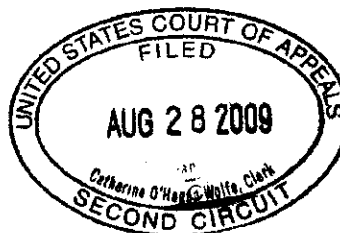
S.D.N.Y.-N.Y.C.
08-cv-10223
Buchwald, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 28th day of August, two thousand nine,

Present:

Dennis Jacobs,
Chief Judge,
Jon O. Newman,
Circuit Judge,
David G. Trager,*
District Judge.



United States of America,

Plaintiff-Appellee,

v.

09-2530-cv

Daniel B. Karron,

Defendant-Appellant.

The Government moves to dismiss this appeal for lack of jurisdiction, or in the alternative for summary affirmance. Appellant, *pro se*, moves for a stay pending appeal, leave to proceed *in forma pauperis*, and appointment of counsel. Upon due consideration, it is hereby ORDERED that the Government's motion is GRANTED and the appeal is DISMISSED for lack of appellate jurisdiction. The order appealed from is not an appealable interlocutory order under 28 U.S.C. § 1292(a)(1). Furthermore, the collateral order doctrine does not apply. *See Gulfstream Aerospace*

*David G. Trager, Senior Judge of the United States District Court for the Eastern District of New York, sitting by designation.

SAO-MWG

TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by

DEPUTY CLERK

ISSUED AS MANDATE: OCT 20 2009

Corp. v. Mayacamas Corp., 485 U.S. 271, 276 (1988). It is further ORDERED that Appellant's motions are DENIED as moot.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: 